

REMARKS

In order to expedite prosecution by reducing issues, a personal interview with Examiner Kim was conducted on April 20, 2005. Applicants and Applicants' representative would like to thank Examiner Kim for his courtesy in conducting the interview and for his assistance in resolving issues. The following is a summary of the interview discussion.

Claim 1 stands rejected under 35 U.S.C. § 112, first paragraph (enablement) and under 35 U.S.C. § 101. It is respectfully submitted that these rejections have been obviated by the enclosed amendment.

Claim 2 stands rejected under 35 U.S.C. § 102 as being unpatentable over Leydier in view of Johnson. This rejection is respectfully traversed for the following reasons.

Claim 2 recites in pertinent part, "providing a selector responsive to a selection signal ... used as a key signal." Claim 1 similarly recites "key data." The Examiner admits that Leydier does not disclose a selector and therefore relies on Johnson. However, although Johnson allegedly may disclose a permutation circuit, Johnson is completely silent as to a selector, let alone a key signal, for accessing the output of the encrypted circuit. Accordingly, as discussed during the interview, the encrypted circuits of Johnson, taken as a black-box, are subject to security risk when spliced to view the cross-sections thereof, thereby identifying the permutations.

In contrast, according to the present invention, the key signal/data can be used to operate the encrypted circuit as targeted, so that the proper output is read only to those having the key.

Accordingly, even if one knew the permutation of the encrypted circuit, the present invention includes another layer of security in that knowledge of the permutation would be useless without the key signal/data necessary to access the output.

The Examiner is directed to MPEP § 2143.03 under the section entitled "All Claim Limitations Must Be Taught or Suggested", which sets forth the applicable standard:

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. (citing *In re Royka*, 180 USPQ 580 (CCPA 1974)).

In the instant case, the pending rejection does not "establish *prima facie* obviousness of [the] claimed invention" as recited in claims 1-2 because the proposed combination fails the "all the claim limitations" standard required under § 103.

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as claim 2 is patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also patentable. In addition, it is respectfully submitted that the dependent claims are patentable based on their own merits by adding novel and non-obvious features to the combination.

Based on the foregoing, it is respectfully submitted that all pending claims are patentable over the cited prior art. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. § 102/103 be withdrawn.


CONCLUSION

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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